

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CHARUDET SMITH,

Defendant.

AFFIRMATION

24 Mag. 00551

STATE OF NEW YORK)
COUNTY OF WESTCHESTER : ss.:
SOUTHERN DISTRICT OF NEW YORK)

MARCIA S. COHEN, under penalty of perjury, hereby affirms as follows:

1. I am an Assistant United States Attorney in the Southern District of New York. I submit this affirmation in support of an application for a second order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

CHARUDET SMITH, the defendant, was charged with a violation of 18 U.S.C. § 2251(a), in a complaint dated February 5, 2024. The defendant was presented before Magistrate Judge Victoria Reznik on February 9, 2024, and the defendant was released on the following conditions: \$200,000 Personal recognizance bond; Cosigned by two financially responsible persons; Travel restricted to SDNY/EDNY/and District of Connecticut for medical appointments and treatment; Surrender travel documents and no new applications; Pretrial supervision as directed by Pretrial Services; Mental health evaluation and treatment; Home detention; Electronic monitoring; Deft not to possess firearm, destructive device, other weapon; Deft to be released on own signature.

Isabelle Kirschner, attorney for the defendant, has since been engaging in preliminary discussions with the Government concerning a possible disposition of this case without trial, and

those discussions are ongoing. The Government hereby requests that a continuance of 28 days be granted, during which time we may pursue further discussions.

2. On April 26, 2024, Ms. Kirschner, counsel for the defendant, agreed by electronic mail on behalf of the defendant that the requested continuance of 28 days is appropriate in these circumstances.

3. For the reasons stated above, the ends of justice served by the granting of the continuance requested outweigh the best interests of the public and defendant in a speedy trial.

4. Pursuant to Title 28, United States Code, Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 29, 2024.

A handwritten signature in black ink, appearing to read "Marcia S. Cohen", is written over a horizontal line.

MARCIA S. COHEN
Assistant United States Attorney